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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/983,318 01/15/98 HUOTARI

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EXAMINER

LM01/0118

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ART UNIT

PAPER NUMBER

2746

DATE MAILED:

01/18/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/983,318

Applicant(s)

Seppo Huotari

Examiner

Gesesse, Tilahun

Group Art Unit

2746



☒ Responsive to communication(s) filed on Nov 8, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-9 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-9 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103<sup>®</sup> and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brochu et al (us pat.5,711,006) in view of Patsiokas et al (us pat.5,063,588).

Regarding claims 1 and 6, Brochu et al disclose a method for call setup and drop addressing a release resource message in a mobile communication system comprising a home location register (HLR) for permanent storage of subscriber data on mobile stations registered in the network, and at least one visitor location register (VLR) for temporary storage of subscriber data on mobile station (MS) located in the geographical area monitored by the visitor is transmitted between the switching center (GMSC, MSC); see col. 3 lines 53-62 and col.4 line 6-15. Brochu et al fails to disclose to transmit the identity of calling subscriber unit to the mobile switching center (MSC) of the called subscriber signaling connection. However, Patsiokas et al disclose the identity of a calling subscriber unit (106) is provided to a called subscriber unit(s)(106') by requiring the calling subscriber to identify itself(112) to a central station (102 and 104a-c) and request across to the communication resources. The central station forwards the identity of the calling subscriber to the called subscriber (114); see abstract. Therefore, it would have been obvious to an ordinary skill in the art to modify Brochu in transmitting identity of a calling subscriber to a called subscriber through central station, as per the teaching of Patsiokas, in order to alert the called subscriber for respond to (answer) the call or leave unanswered.

Regarding claim 2, Brochu et al fail to disclose that the identity of calling subscriber is transmitted before call set-up. However, Patsiokas et al disclose a calling subscriber unit

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(106) transmits call request includes an identification code that is associated with the calling subscriber unit; see col.2 lines 20-34. Therefore, it would have been obvious to an ordinary skill in the art to modify Brochu in transmitting identity without call set up, as disclosed by Patsiokas, in order to avoid signaling cost and energy for call set up which could be voided if called didn't want to accept the call.

Regarding claims 3 and 7, Brochu et al disclose that the home location register (HLR)(16) transmits to the visitor location register (VLR)(22)connection with a request for routing information; see col.3 lines 53-62. Therefore, it would have been obvious to ordinary skill in the art to send a signal for requesting a location from HLR to VLR for routing location information, in order to allocate a subscriber's location.

Regarding claims 4 and 8, Neither Brochu nor Patsiokas teach a MAP PROVIDE-ROAMING-NUMBER message. However , it would have been obvious to an ordinary skill in the art to send a message MAP PROVIDE-ROAMING-NUMBER, for data information routing in the network.

Regarding claims 5 and 9 , Brochu et al disclose a called subscriber(26)located at visiting network(20); see fig.1 and it's description. Therefore, it would have been obvious to ordinary skill in the art to be the called subscriber in the visiting network, for this reason roaming information is necessary.

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*Response to Arguments*

4. Applicant's arguments filed 11/12/99 have been fully considered but they are not persuasive.

Applicant's argued that in response to the first non-final office action, that Patsiokas does not any signaling connection and admitted that "caller is required to transmit an identity code using DTMF codes or other suitable signaling mechanism, see col. 2 lines 58-59"

Furthermore, Applicant argued that the office action regarding a teaching which is directly contrary to the technique employed in the practice of the present invention, page 3 lines4-5.

Applicant admitted that the Patsiokas system allows the subscriber's identity to be transmitted locally to a central unit, page 3 lines 18-19.

Applicant admitted that Brochu disclose home local register, VLR conventional signaling between two such registers, page 4 lines 1-2.

However, the primary reference (Brochu et al) teach two systems (originating and visiting) and a call originates through GMSC routes to HLR then forward to VLR/MSC in the visiting system(20) the mobile station (26)paged to find it location. Response is eventually retrieved by the GMSC; see fig.4. Brochu et al fail to disclose forward the identity of calling subscriber to called subscriber. However, Patsiokas et al teach that the identity of calling subscriber unit (106) is forwarded to central station(104b) before an RF communication link, or speech communication is set and eventfully to the called subscriber unit (106'); see abstract.

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Therefore, it is still considered that the signalling sent prior to the speech connection is "unrelated" to the speech connection.

*Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun Gesesse whose telephone number is (703) 308-5873. The examiner can normally be reached on Monday-Thursday from 6:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group is (703) 308-5403.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Jan. 7, 2000

*Tilahun Gesesse*

  
EDWARD F. URBAN  
PRIMARY EXAMINER